

The Village of Northfield

REGULAR COUNCIL MEETING Agenda – December 13, 2017

Pledge of Allegiance

Call to Order; Roll Call; Approval of Minutes

Presentation of Petitions, Memorials and Remonstrances

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Tricia Ingrassia, Finance Director
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:

John Zolcus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:

Alan Hipps, Planning Commission
Mayor Nehez, Recreation Board
Beatrice Greenlee, Cemetery Board

Reports of Standing Committees:

Nicholas Magistrelli, Finance
Keith Czerr, Roads and Public Works
Renell Noack, Health and Welfare
Gary Vojtush, Wages and Working Conditions
Jennifer Domzalski, Fire and Safety
Alan Hipps, Buildings and Grounds

Legislation:

2017-88 – An Emergency Resolution Authorizing the Mayor to Renew the Village's Agreement with the Legal Defenders Office of Summit County, Ohio for Indigent Representation in Stow Municipal Court (First Reading)

2017-89 – An Emergency Resolution to Make Temporary Appropriations for Current Expenses and Other Expenditures of the Village for the Period from January 1, 2018 through March 31, 2018 (First Reading)

2017-90 – An Emergency Resolution Authorizing the Director of Finance to Transfer Funds Representing Unclaimed Income Tax Refunds to the Village's Unclaimed Fund (First Reading)

2017-91 – An Emergency Resolution Continuing the Appointment of Richard S. Wasosky of Euthenics, Inc. as the Village of Northfield Municipal Engineer for the Period of January 1, 2018 through December 31, 2019 (First Reading)

2017-92 – An Emergency Resolution Authorizing Certain Amendments to the 2017 Appropriation Resolution and/or Transferring Items Already Appropriated in that Resolution (First Reading)

Old Business; New Business; Announcements; Adjournment

VILLAGE OF NORTHFIELD RESOLUTION NO. 2017-88
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO RENEW THE
VILLAGE'S AGREEMENT WITH THE LEGAL DEFENDERS OFFICE OF SUMMIT
COUNTY, OHIO FOR INDIGENT REPRESENTATION IN STOW MUNICIPAL COURT

WHEREAS, the agreement between the Village and the Legal Defender's Office of Summit County, Ohio for indigent representation in the Stow Municipal Court expires on December 31, 2017; and

WHEREAS, the Village is required by the State to provide for representation of indigent individuals charged with violations of the Village's criminal code, and the Summit County Legal Defender's Office is currently providing that service; and

WHEREAS, it is the desire of Council to authorize the Mayor to renew the Village's agreement with the Legal Defender's Office of Summit County to provide for such representation for 2017.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby and herein authorizes the Mayor to renew the Village's agreement with the Legal Defender's Office of Summit County for the year 2018 to provide representation to indigent defendants in the Stow Municipal Court charged with violations of the Village's criminal code for the amount of \$170 per case. A copy of the agreement is attached hereto and incorporated herein by reference.

SECTION 2. That all formal actions of this Council concerning the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that it is a necessary component of the Village's law enforcement responsibilities, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this ____ day of _____, 2017.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2017.

Tricia Ingrassia, Clerk of Council

AGREEMENT

This Agreement made at the VILLAGE OF NORTHFIELD , Ohio on this _____ day of _____, _____, by and between the VILLAGE OF NORTHFIELD , Ohio, acting by and through its Mayor (or designee) duly authorized by Ordinance/Resolution No. _____, _____, passed by the Council of the VILLAGE OF NORTHFIELD , Ohio on the _____ day of _____, _____, hereinafter referred to as the VILLAGE and the Summit County Public Defender's Commission, One Cascade Plaza Suite 1940, Akron, Ohio hereinafter referred to as the DEFENDER.

WITNESSETH:

WHEREAS, the VILLAGE has entered into an agreement to obtain the services of the DEFENDER to provide legal counsel to indigent persons charged with loss of liberty offenses in its municipal jurisdiction for 2018; and

WHEREAS, pursuant to Chapter 120 of the Ohio Revised Code and Administrative Code 120-1-09 it is necessary to enter into this Agreement in order for said County to obtain reimbursement pursuant to Chapter 120 and Administrative Rule 120-1-09 of the Ohio Administrative Code.

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions, and terms to be kept and performed, it is agreed between the parties as follows:

Section 1. The DEFENDER shall provide counsel in the Stow Municipal Court to persons charged with a violation of the Codified Ordinances of the VILLAGE OF NORTHFIELD , Ohio, and who meet all the following specifications:

- a. The judge has determined in accordance with Subsection D of Rule 44 of the Ohio Rules of Criminal Procedure that such person is unable to obtain legal counsel.
- b. Such person has not waived the right to counsel in accordance with Rule 43 (C) of the Ohio Rules of Criminal Procedure.

- c. The judge determines that a sentence of confinement may be imposed on such person should he be convicted.
- d. Defines "eligible person" as an individual who at the time this need is determined, to be indigent in accordance with Sections 120.05 and 120.15 of the Ohio Revised Code and Section 120-1-03 of the Ohio Administrative Code and other rules and standards established by the Ohio Public Defender and the Commission.

Section 2. The VILLAGE shall pay to the DEFENDER a fee for the services provided in Section 1 of the Agreement of One Hundred Seventy Dollars (\$170.00) per case for all cases opened between January 1, 2018 through December 31, 2018.

a. The parties hereto agree that said representation of such indigent person shall not exceed the fee schedule in effect and adopted by Summit County, Ohio (said fee schedule currently allows payment of up to \$750.00 per case as and for a trial.)

Section 3. The DEFENDER shall send semi-annual statements to the VILLAGE certifying the number of cases completed during the preceding months.

Section 4. The Agreement shall expire on December 31, 2018.

Section 5. In the event the VILLAGE does not renew this Agreement, the VILLAGE agrees to pay the DEFENDER the amount of One Hundred-Seventy Dollars (\$170.00) per pending case upon the completion of said case.

Section 6. Should the DEFENDER be succeeded by a county defender organized in accordance with the Ohio Revised Code, the DEFENDER may assign its duties under this assignment and shall not be made by either party without the prior written consent of the other; provided, however, that the DEFENDER is expressly authorized to provide the services described in Section 1 through the Legal Defender Office of Summit County, Ohio Inc.

Section 7. Should the DEFENDER or any other entity receive reimbursement for the services performed by the DEFENDER, the DEFENDER shall insure the VILLAGE receives its prorated share of such reimbursement through credit toward the VILLAGE's payment and/or payments, direct or indirect, to the VILLAGE.

Section 8. The DEFENDER shall defend and hold harmless the VILLAGE from any and all claims or liability resulting from the services performed by the DEFENDER under the contract.

Section 9. All amendments to this Agreement shall be in writing and signed by both parties.

Section 10. This contract shall be subject to the approval of the Ohio Public Defender Commission. In addition to indigency determination, all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first above written.

IN THE PRESENCE OF:

VILLAGE OF NORTHFIELD

Witness for Mayor/designee

_____/_____
Mayor (or designee) Date

Witness for Commission

SUMMIT COUNTY PUBLIC
DEFENDER COMMISSION

Approved as to legal form
and correctness:

_____/_____
Date

_____/_____
Law Director Date

OHIO PUBLIC DEFENDER
COMMISSIONER

_____/_____
Date

CERTIFICATE OF DIRECTOR OF FINANCE

I hereby certify that certificates will be furnished on payment orders issued by the _____ under this contract and that sufficient money is in the treasury under this contract and that sufficient money is in the treasury or in the process of collection to the credit of the appropriate fund or division to discharge the VILLAGES's obligation under this contract as authorized by Ordinance/Resolution No. _____, _____.

Director of Finance

**VILLAGE OF NORTHFIELD RESOLUTION NO. 2017-89
AN EMERGENCY RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE FOR THE
PERIOD FROM JANUARY 1, 2018 THROUGH MARCH 31, 2018**

WHEREAS, the Village is required by law to make temporary appropriations for current expenses and other expenditures for the period from January 1, 2018 through March 31, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in order to provide funds for the current expenses and other expenditures of the Village for the period from January 1, 2018 through March 31, 2018, the following appropriations are hereby made, by fund, that are set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That the Director of Finance is hereby authorized to draw her warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers thereof, or a resolution shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance; provided further, that the appropriations or contingencies can only be expended upon approval of Council for items or expenses constituting a legal obligation against the Village and for purposes other than those covered by other specific appropriations.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council and any of its committees and/or were in compliance with all legal requirements.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield for the reason that it is necessary for the operation of the Village government and is required by law, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of December, 2017.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2017.

Tricia Ingrassia, Clerk of Council

VILLAGE OF NORTHFIELD RESOLUTION NO. 2017-90
AN EMERGENCY RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO
TRANSFER FUNDS REPRESENTING UNCLAIMED INCOME TAX REFUNDS TO
THE VILLAGE'S UNCLAIMED FUND

WHEREAS, the Village recently received a check from CCA representing the total amount of unclaimed and uncashed income tax refund checks related to the Village; and

WHEREAS, the Village is required to remit funds representing checks that have not been claimed or cashed for certain periods of time to the Village's Unclaimed Fund; and

WHEREAS, Council desires to authorize the Director of Finance to transfer the requisite funds to the Village's Unclaimed Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby authorizes the Director of Finance to transfer the amount of \$872.83, representing the amount remitted to the Village from CCA for unclaimed and uncashed income tax refund checks related to the Village. A list of the checks comprising the above amount is set forth in the attachment hereto.

SECTION 2. That all formal actions of this Council and any actions of its committees that resulted in those formal actions concerning and relating to the passage of this Resolution were taken in meetings open to the public and/or in compliance with law.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that this action is required by law, and this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2017.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2017.

Tricia Ingrassia, Clerk of Council




Check Date: November 14, 2017

CITY OF CLEVELAND

Check No. 1192449

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Taken	Paid Amount
CCA545UR2008-2014OCT17	11/07/2017		\$872.83	\$ 0.00	\$872.83

Vendor Number	Vendor Name			Total Discounts	
CONV0000006531	NORTHFIELD, VILLAGE OF			\$0.00	
Check Number	Date		Total Amount	Discounts Taken	Total Paid Amount
1192449	November 14, 2017		\$872.83	\$0.00	\$872.83

	CITY OF CLEVELAND		1192449
	Frank G. Jackson, Mayor		56-389/412
	City of Cleveland - Accounts Cleveland, OH 44114		Date November 14, 2017
	Void if not presented within 30 days To the Treasurer of The City of Cleveland, Ohio		Pay Exactly \$*****872.83 ***
Pay	EIGHT HUNDRED SEVENTY TWO AND 83/100 DOLLARS		
To The	NORTHFIELD, VILLAGE OF		
Order Of	acct# 5741001318		
	aba# 041200555		
	Northfield, OH 44067-1229		
			 CITY TREASURER  COMMISSIONER OF ACCOUNTS

⑈1192449⑈ ⑆041203895⑆ 4239734557⑈

See Reverse Side For Easy Opening Instructions



City of Cleveland
601 Lakeside Ave Rm 115
Cleveland, Ohio 44114

Return Service Request

Frank G. Jackson, Mayor

1192449
NORTHFIELD, VILLAGE OF
acct# 5741001318
aba# 041200555
Northfield, OH 44067-1229

2017 Reimbursement for Unclaimed Refunds

(Original refund checks issued 1/22/2008 through 12/10/2014)

City Code	Refund Amount Per City Code	Taxpayer ID	Taxpayer Name	Original Refund Check Number	Original Refund Check Number Total Amount	Original Check Date	Period End	Form Type
545	\$ 134.00	175708921	LAND, KATHERINE A.	178747	\$ 134.00	5/29/2012	12/11	95
545	\$ 8.00	203207534	ARBOR REHABILITATION & HEALTHCARE SERVIC	192529	\$ 22.00	2/18/2014	12/12	90
545	\$ 28.00	274822397	JAMES, MICHAEL J. & AMANDA	200732	\$ 28.00	12/10/2014	12/13	98
545	\$ 1.08	276742772	MAGISTRELLI, LISA M.	199973	\$ 1.08	10/14/2014	12/13	98
545	\$ 29.75	278824556	FLECK, MICHAEL J.	140428	\$ 29.75	6/2/2008	12/07	98
545	\$ 25.00	283485255	WEISS, LISA A.	175281	\$ 25.00	12/15/2011	12/10	98
545	\$ 6.00	283740029	SANTANTONIO, FRED	178291	\$ 6.00	5/23/2012	12/11	98
545	\$ 210.00	289861190	TIERNEY IV, WILLIAM A.	155409	\$ 210.00	10/8/2009	12/08	95
545	\$ 99.00	294021034	DHALIWAL, NIRBHAI S. & JAPJI K.	200228	\$ 99.00	11/3/2014	12/13	98
545	\$ 65.00	295088071	PRICE, ASHTON W.	200373	\$ 65.00	11/11/2014	12/13	95
545	\$ 110.00	296788687	KONTUR, KIMBERLY M.	178969	\$ 110.00	5/29/2012	12/11	98
545	\$ 157.00	302366598	ORANSKI, DENNIS F. & SUZANNE	183467	\$ 157.00	11/2/2012	12/11	95
Total	\$ 872.83							

VILLAGE OF NORTHFIELD
RESOLUTION NO. 2017-~~91~~

INTRODUCED BY:

AN EMERGENCY RESOLUTION
CONTINUING THE APPOINTMENT OF RICHARD S. WASOSKY OF EUTHENICS, INC.
AS THE VILLAGE OF NORTHFIELD MUNICIPAL ENGINEER
FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2019

WHEREAS, the contract of Richard S. Wasosky of Euthenics, Inc., the Municipal Engineer, expires on December 31, 2017; and

WHEREAS, the Mayor and Council desire to reappoint Richard S. Wasosky of Euthenics, Inc. as the Village of Northfield Municipal Engineer for calendar years 2018 and 2019;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That Council hereby confirms the Mayor's appointment of Richard S. Wasosky of Euthenics, Inc. as the Village of Northfield Municipal Engineer for the period of January 1, 2018 through December 31, 2019.

SECTION 2. That Richard S. Wasosky of Euthenics, Inc. and any agents designated by Richard S. Wasosky will be compensated as indicated in Exhibit A for Year 2018 and for Year 2019, which is attached hereto and incorporated herein by reference.

SECTION 3. That any and all studies, drawings, plans, reports, bid documents and correspondence hereinafter designated as Product, either produced by or obtained by Mr. Wasosky for the Village of Northfield are the property of the Village of Northfield and may be retained by Mr. Wasosky for storage and use only during Mr. Wasosky's tenure as Municipal Engineer. All stored Product will not be insured by Mr. Wasosky. All Product produced or obtained by Mr. Wasosky during his entire length of service as Village of Northfield Municipal or Village Engineer shall be returned to the Village of Northfield upon termination of Mr. Wasosky's services with the Village of Northfield.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health and welfare of the residents of the Village of Northfield, for the reason that it will assist with the operation of a municipal department, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to the Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2017.

Nick Magistrelli, President
Pro-Tem of Council

Jesse J. Nehez, Mayor

PASSED:

ATTEST:

Clerk of Council

Approved as to Legal Form by the Director of Law.

Bradric T. Bryan
Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2017.

Tricia Ingrassia
Clerk of Council

EXHIBIT A
MUNICIPAL ENGINEER

COMPENSATION SCHEDULE FOR YEAR 2018

1. \$109.00 for Mr. Wasosky's attendance at the first Council meeting of each month;
2. \$109.00 for attending each additional Council meeting and for each Planning Commission Meeting that Mr. Wasosky is requested to attend by the Mayor or Council;
3. \$109.00 per hour for Mr. Wasosky's professional services;
4. Charges for all agents designated by Mr. Wasosky shall be billed as follows:
 - a. Engineer - \$109.00 per hour;
 - b. Surveyor - \$96.80 per hour;
 - c. Technician - \$79.30 per hour;
 - d. Computer aided draftsperson - \$76.70 per hour;
 - e. Manual draftsperson - \$58.70 per hour;
 - f. Survey crew - \$148.30 per hour;
 - g. Inspector - \$52.50 per hour;
 - h. Clerical and printing - \$40.00 per hour;
5. Expenses incurred by Mr. Wasosky for Village work will be billed at Mr. Wasosky's cost.

COMPENSATION SCHEDULE FOR YEAR 2019

1. \$112.50 for Mr. Wasosky's attendance at the first Council meeting of each month;
2. \$112.50 for attending each additional Council meeting and for each Planning Commission Meeting that Mr. Wasosky is requested to attend by the Mayor or Council;
3. \$112.50 per hour for Mr. Wasosky's professional services;
4. Charges for all agents designated by Mr. Wasosky shall be billed as follows:
 - a. Engineer - \$112.50 per hour;
 - b. Surveyor - \$99.70 per hour;
 - c. Technician - \$81.60 per hour;
 - d. Computer aided draftsperson - \$79.00 per hour;
 - e. Manual draftsperson - \$60.50 per hour;
 - f. Survey crew - \$152.75 per hour;
 - g. Inspector - \$54.00 per hour;
 - h. Clerical and printing - \$41.20 per hour;
5. Expenses incurred by Mr. Wasosky for Village work will be billed at Mr. Wasosky's cost.

VILLAGE OF NORHTFIELD RESOLUTION NO. 2017-92

**AN EMERGENCY RESOLUTION AUTHORIZING CERTAIN AMENDMENTS TO THE
2017 APPROPRIATION RESOLUTION AND/OR TRANSFERRING ITEMS ALREADY
APPROPRIATED IN THAT RESOLUTION**

WHEREAS, as the result of certain occurrences, information, and expenditures, amendments to the year 2017 Appropriation Resolution and/or transfers of items already appropriated in the Appropriation Resolution are required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That in order to provide for certain expenditures during the 2017 calendar year, Council hereby and herein authorizes the amendments to the Year 2017 Appropriation Resolution and transfers of items already appropriated in the Year 2017 Appropriation Resolution in the amounts and to the funds set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. That all formal actions of the Council concerning and relating to the deliberation and adoption of this Resolution were taken in an open meeting of this Council or any of its committees and were in compliance with all legal requirements.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the residents of the Village of Northfield for the reason that this action is required by state law and is necessary for the operation of the Village government, and that this Resolution shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2017.

Nicholas Magistrelli, President Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio do hereby certify that the foregoing Resolution was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2017.

Tricia Ingrassia, Clerk of Council